

REMARKS

The application has been amended to place the application in condition for allowance at the time of the next Official Action.

Claims 1-12 were previously pending in the application. Claims 1-3 are canceled and claims 13-23 are added. Therefore, claims 4-23 are presented for consideration. Claims 4-12 are withdrawn from consideration as being directed to a non-elected species.

Claims 1 and 3 are rejected as anticipated by NEWELL 5,066,527.

Reconsideration and withdrawal of the rejection are respectfully requested because the reference does not disclose or suggest that an inner and outer layer are connected together along a central or substantially central portion of the outer layers to maintain the inner layers between the outer layers and to prevent movement of the inner layer relative to the outer layer as recited in new claim 13.

As disclosed on column 5, lines 53-59 of NEWELL, the long sides 14 of a rectangular sheet are attached together by stitching or by gluing or fusing. The ends of the rectangular sheet may also be attached in the same manner.

NEWELL does not disclose or suggest that the inner and outer layers are connected together along a central or

substantially central portion of the outer layers as recited in new claim 13.

As the reference does not disclose that which is recited, the anticipation rejection is untenable. Reconsideration and withdrawal of the rejection are respectfully requested.

New claims 14 and 15 also provide that the inner and outer layers are connected together along a central or substantially central portion. The analysis above regarding claim 13 is equally applicable to claims 14 and 15.

Claim 2 is rejected as unpatentable over LILLOIA et al. 3,663,348.

Reconsideration and withdrawal of the rejection are respectfully requested because the reference does not disclose or suggest inner and outer layers connected together along a central or substantially central portion of the outer layers as recited in each of new claims 13, 14 and 15.

Rather, column 7, lines 18-25 of LILLOIA disclose that fabrics 29 and 30 are mechanically united along their edges to prevent the absorbent pad 31 from shifting its position. The side edges 36 and 37 of the diaper may or may not be further secured through spot bonding along the edge to prevent an initial separation of the fabrics 29 and 30 along such edges if desired.

Accordingly, LILLOIA teaches connection of the upper layers at their edges to prevent the inner layer 31 from shifting

and does not teach the outer and inner layers connected together. Moreover, LILLOIA does not teach or suggest that the outer and inner layers are connected together along a central or substantially central portion of the outer layers as recited.

The above-noted features are missing from LILLOIA and thus would not be obvious to one having ordinary skill in the art.

New claims 13-15 are believed generic to each of the embodiments and thus new claims 16-23 should also be considered and allowed.

As to withdrawn claims 4-12, MPEP §821.02 provides that when a generic claim is allowed, the Examiner must notify applicant of the allowance of a generic claim and give applicant a time limit of one month (not less than 30 days) to conform all of the claim to a non-elected species to fully embrace an allowed generic claim.

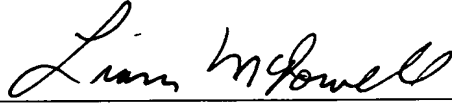
In view of the present amendment and the foregoing Remarks, reconsideration and allowance of the application are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any

overpayment to Deposit Account No. 25-0120 for any additional  
fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON



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Liam McDowell, Reg. No. 44,231  
745 South 23<sup>rd</sup> Street  
Arlington, VA 22202  
Telephone (703) 521-2297  
Telefax (703) 685-0573  
(703) 979-4709

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